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PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 870.00)

C mplete if Known

Application Number	09/900,751	RECEIVED
Filing Date	July 6, 2001	NOV 04 2003
First Named Inventor	Keith D. Allen	OFFICE OF PETITIONS
Examiner Name	Brian A. Whiteman	
Art Unit	1635	
Attorney Docket No.	R-386	

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None

Deposit Account:

Deposit Account Number
50-1271
Deposit Account Name
Deltagen, Inc.

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$)			

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
	-20** =	X	=
Independent Claims	- 3** =	X	=
Multiple Dependent			

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$)		

*or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	205.00
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	665.00
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 870.00

SUBMITTED BY

Name (Print/Type)	Kelly L. Quast	Registration No. (Attorney/Agent)	52,141	Telephone	650-569-5100
Signature	Kelly L. Quast	Date	October 27, 2003		

WARNING: Information in this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

3. Terminal disclaimer with disclaimer fee

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

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10/27/03

Date

Kelly Quast

Signature

Telephone Number: (650)-569-5107KELLY L. QUAST

Typed or printed name

1031 BING STREET

Address

SAN CARLOS, CA. 94070

Address

Enclosures: Fee Payment Reply Terminal Disclaimer Form Additional sheets containing statements establishing unintentional delay Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

10/27/03

Date

DON MIXON

Signature

DON MIXON

Type or printed name of person signing certificate



RECEIVED

NOV 04 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE OF PETITIONS

Applicant: **Keith D. ALLEN et al.**

Serial No.: **09/900,751**

Filed: July 6, 2001

Title: **Transgenic Mice Containing Serine Protease Gene Disruptions**

Group Art Unit: **1635**

Examiner: **Whiteman, Brian**

Customer No. **26619**

Docket/Order No. **R-386**

Date: **October 27, 2003**

Petition to Revive under 35 C.F.R. § 1.137(b)

Adjustment date: 11/12/2003 HLE555
11/03/2003 AWONDAF1 00000014 501271 09900751
01 FC:2252 210.00 CR

Commissioner for Patents

Mail Stop Petition

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

The above referenced application has unintentionally fallen abandoned due to the inadvertent failure to timely file a proper reply to the Office Action mailed February 11, 2003. More particularly, the response filed July 9, 2003 was considered improper due to the lack of sufficient funds in Applicants' deposit account in order to extend the period of reply for two (2) months under 37 C.F.R. § 1.136(a). In order to revive the status of the application, attached herewith is a Petition for Revival of an unintentionally Abandoned Application under 37 C.F.R. § 1.137(b). Applicants hereby state that the entire delay in responding to the outstanding Office Action was unintentional, as Applicants were unaware of the lack of funds in the deposit account. Applicants hereby authorize the Commissioner to debit Deposit Account 50-1271 for the fees associated with the Petition to Revive, including the Petition Fee of \$665.00 and the fee required for

11/03/2003 AWONDAF1 00000015 501271 09900751

02 FC:2252 210.00 DA

the extension of time in response to the above referenced Office Action of \$205.00. Applicants have submitted previously an Amendment in response to the Office Action mailed February 11, 2003, and requests entry and consideration of the amendments and remarks contained therein. A copy of the previously filed response is attached herewith.

The Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-1271 under Order No. R-386.

Respectfully submitted,

Date: October 27, 2003

Kelly L. Quast

Kelly L. Quast, Reg. No. 52,141

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